IN THE HIGH COURT OF CHHATTISGARH, BILASPUR (C.G.)

W.P.No 3632/04

PETITIONER : Smt. Shyama Chatterjee aged 40 years
W/o Late Shri R.K.Chatterjee A-32
Priyadarshani Nagar, Bilaspur C.G.

VERSUS

RESPONDENT :

1. State of Chhattisgarh
Through Chief Secretary Department of Electrical/Mechanical heavy Machinary Division, Irrigation Deptt. Raipur C.G.
2. Executive Engineer, Electrical/Mechnical , Heavy machinary division Irrig. Deptt. CADA Building near Commissioner office Bilaspur C.G.
3. Collector, Bilaspur District Bilaspur
4. State of Madhya Pradesh, through Chief Secretary,E/M heavy Machinery Division Irrigation deptt. Vallabh Bhavan Bhopal MP.
5. Union Of India, Through Director, Personal Training Public Grievances & Pension (State Reorganisation Cell) Lok Nayak Bhawan Khan Market New Delhi.

P.R. No. 3529/02
Presented by Shri. Keshore Patel
dated 27-9-04

RECEIVED COPY
27/9/04
Clerk to A.G. Bilaspur

Petition Under Article 226/227 of Constitution of India.

The petition

(56)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION NO.3632 OF 2004

Petitioner	:	Smt. Shyama Chatterjee
	versus	
Respondents	:	State of Chhattisgarh and others

Present : Mr. Rajeev Bharat, counsel for the petitioner.
Mrs. Anju Ahuja, Deputy Government Advocate for respondents No.1, 2 and 3.
Mrs. B.M.Maity, Advocate appears on behalf of Mr. S.K. Beriwal, learned counsel for respondent No.5/Union of India.
None appears for respondent No.4/State of Madhya Pradesh.

ORAL ORDER
(Passed on 31st of July, 2006)

The husband of the petitioner, namely, Shri R.K.Chatterjee, while working as Sub-Divisional Officer in Heavy Engineering Irrigation Department, Darri Korba, District Korba, died on 11-11-1997 in harness. The petitioner, being dependent legal heir of the deceased, filed an application in March, 1998 for her appointment on compassionate basis on the post of Clerk Grade-III. After creation of State of Chhattisgarh, the petitioner again made an application for compassionate appointment. The

(57)

application of the petitioner was rejected on the ground that there was no vacancy available. Be that as it may, the Government of Chhattisgarh, by its circular dated 2-2-2006, has taken a decision to consider cases of all the dependents/legal heirs of the deceased – employees, who died after 1-11-1997, for compassionate appointment.

2. In view of the decision of the State Government, this writ petition is disposed of with liberty to the petitioner to make a representation to the respondents/State for consideration of her case for compassionate appointment and if such a representation is made, the State Government is directed to consider the case of the petitioner according to its own Circular dated 2-2-2006 and also in view of the order dated 20-12-2005 passed by this Court in Writ Petition No.1322/2002 and other connected matters, on its own merit, in accordance with law. No order as to costs.

Certified copy as per rules.

Sd/-
Satish K. Agnihotri
Judge

Gopal